

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (previously presented): A photographing device comprising:  
  
an optical lens;  
  
a photographing unit for taking an image of a subject imaged through the optical lens;  
  
and  
  
a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit;  
  
wherein said light quantity adjustment unit is a unit for adjusting the light quantity of the image of said subject for each color channel of said photographing unit, said light quantity adjustment unit is a unit for relatively reducing a light quantity of an area corresponding to a bright portion of the image of said subject or said light quantity adjustment unit is a unit for relatively increasing a light quantity of an area corresponding to a dark portion of the image of said subject when the image is taken by said photographing unit.
2. (previously presented): The photographing device according to claim 7, wherein said light quantity adjustment unit is a unit for relatively reducing a light quantity of an area

AMENDMENT UNDER 35 U.S.C. § 1.111

U.S. Application No. 09/810,339

Attorney Docket No. Q62091

corresponding to a bright portion of the image of said subject when the image is taken by said photographing unit.

3. (previously presented): The photographing device according to claim 7, wherein said light quantity adjustment unit is a unit for relatively increasing a light quantity of an area corresponding to a dark portion of the image of said subject when the image is taken by said photographing unit.

4. (canceled)

5. (original): The photographing device according to claim 1, wherein said photographing unit is an image pickup device for photoelectrically reading the image of said subject or a unit for recording the image of said subject on a photosensitive material.

6. (original): The photographing device according to claim 1, wherein said light quantity adjustment unit is a filter through which the light carrying the image of said subject is transmitted and is a light transmittance variable filter which changes a light transmittance of an area corresponding to a portion of the image of said subject where the light quantity is adjusted.

7. (previously presented): A photographing device comprising:  
an optical lens;

AMENDMENT UNDER 35 U.S.C. § 1.111

U.S. Application No. 09/810,339

Attorney Docket No. Q62091

a photographing unit for taking an image of a subject imaged through the optical lens;  
and

a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit,

wherein said light quantity adjustment unit is a reflection plate for partially changing a light receiving time in which said photographing unit receives reflected light, correspondingly to a portion of the image of said subject where the light quantity is adjusted, by changing a reflection angle of the light carrying the image of said subject.

8. (original): The photographing device according to claim 1,  
wherein said light quantity adjustment unit is disposed at a position deviating from an imaging position where the image of said subject is imaged by said optical lens.

9. (currently amended): A photographing device comprising:  
an optical lens;  
a photographing unit for taking an image of a subject imaged through the optical lens;  
and  
a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit;

wherein when said photographing unit is a unit for reading the image of said subject photoelectrically, said photographing device further includes a condition setting unit for setting an adjustment area of said light quantity adjustment unit corresponding to a light quantity adjustment portion of the image of said subject, based on image data of a pre-read image which was obtained by previously reading the image of said subject under a predetermined photographing condition by using said photographing unit.

10. (original): The photographing device according to claim 9, wherein said condition setting unit sets for each color channel of said photographing unit, the adjustment area of said light quantity adjustment unit corresponding to the light quantity adjustment portion of the image of said subject, based on image data obtained for said each color channel from said pre-read image read by said photographing unit.

11. (previously presented): A photographing device comprising:

- an optical lens;
- a photographing unit for taking an image of a subject imaged through the optical lens;
- and
- a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit;

wherein when said photographing unit is a first photoelectric converter for reading the image of said subject photoelectrically, said photographing device further includes:

a second photoelectric converter which is different from the first photoelectric converter;  
and

a condition setting unit for setting an adjustment area of said light quantity adjustment unit corresponding to a light quantity adjustment portion of the image of said subject, based on image data of an image obtained by reading the image of said subject with the second photoelectric converter.

12. (original): The photographing device according to claim 11, wherein said condition setting unit sets for each color channel of said second photoelectric converter, the adjustment area of said light quantity adjustment unit corresponding to the light quantity adjustment portion of the image of said subject, based on image data obtained for said each color channel from said image read by said second photoelectric converter.

13. (canceled).

14. (currently amended): ~~[[The]] A photographing device according to claim 13~~  
comprising:

an optical lens;

AMENDMENT UNDER 35 U.S.C. § 1.111

U.S. Application No. 09/810,339

Attorney Docket No. Q62091

a photographing unit for taking an image of a subject imaged through the optical lens;

and

a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit;

wherein when said photographing unit is a unit capable of photoelectrically taking the image of said subject in succession as a plurality of images, said photographing device further includes a condition setting unit for setting an adjustment area of said light quantity adjustment unit corresponding to a light quantity adjustment portion of the image of said subject, based on image data of an image taken in a temporally precedent manner, and

wherein said condition setting unit determines a degree of a motion from said plurality of images taken in succession and sets the adjustment area of said light quantity adjustment unit in accordance with the degree of the motion.

15. (currently amended): ~~[[The]]~~ A photographing device ~~according to claim 13~~  
comprising:

an optical lens;

a photographing unit for taking an image of a subject imaged through the optical lens;

and

a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit;

wherein when said photographing unit is a unit capable of photoelectrically taking the image of said subject in succession as a plurality of images, said photographing device further includes a condition setting unit for setting an adjustment area of said light quantity adjustment unit corresponding to a light quantity adjustment portion of the image of said subject, based on image data of an image taken in a temporally precedent manner, and

wherein when said photographing unit is a first photoelectric converter for reading the image of said subject photoelectrically, said photographing device further includes a second photoelectric converter which is different from the first photoelectric converter and wherein the image data of the image taken in said temporally precedent manner is image data of an image obtained by reading the image of said subject with said second photoelectric converter.

16. (original): The photographing device according to claim 9, wherein said condition setting unit includes a signal converter for converting said image data into bright and dark image data, and sets said adjustment area based on said bright and dark image data obtained in said signal converter.

17. (original): The photographing device according to claim 16, wherein said condition setting unit includes a low frequency component extractor for extracting a low frequency

component of said bright and dark image data obtained by converting in said signal converter, and sets said adjustment area based on the thus extracted low frequency component.

18. (original): The photographing device according to claim 9, wherein said condition setting unit sets said adjustment area of said light quantity adjustment unit, based on information for designating a position of the light quantity adjustment portion on said pre-read image, an image read with a second photoelectric converter or an image taken in a temporally precedent manner.

19. (previously presented): A photographing device comprising:  
an optical lens;  
a photographing unit for taking an image of a subject imaged through the optical lens;  
and  
a light quantity adjustment unit for partially adjusting a light quantity of the image of said subject, which is provided in an optical path of light carrying the image of said subject and between said optical lens and said photographing unit;  
wherein when said photographing unit is a unit for reading the image of said subject photoelectrically, information on an adjustment of the light quantity in said light quantity adjustment unit is recorded and held together with image data read after the adjustment has been made by said light quantity adjustment unit.